

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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March 27, 1997 LB 643

SENATOR ABOUD: Mr. President, members. LB 643 deals with penalty provisions for videotape depositions of children that are handled in a manner that...an inappropriate manner. Currently, the law allows for the taking of a deposition, videotaped deposition, of a child or child witness under the age of 11. This testimony is available as an alternative to courtroom appearance by the minor. In the case of videotape depositions, the crime charged must be a felony, either the prosecutor or the defense attorney can make the request, and compelling need must be shown before the judge can approve the videotaping. The videotapes can then be used at trial in lieu of the child's testimony, but one thing that is left out of this particular law is the confidentiality of these videotapes, and there is nothing left to provide protection that these videotapes aren't shown to individuals that are not associated with the trial or in an inappropriate manner. So what this bill provides for is protection against an individual using that videotape in a manner which is inappropriate. And the committee amendments which are to follow will further clarify this particular issue.

SPEAKER WITHEM: Thank you, Senator Abboud. Senator Brashear, on...to open on the committee amendments. (AM0593 appears on page 806 of the Legislative Journal.)

SENATOR BRASHEAR: Mr. Speaker, members of the body. The committee amendment...it's in keeping with the object and purpose of LB 643. We simply further restricted and narrowed the...we amplified on release to include use so that there could be no misuse. The prohibition now is against release or use so there's no misuse of the videotape, even by somebody who's responsible for it's custody. Thank you.

SPEAKER WITHEM: Senator Brashear, there are no lights on. Would you care to close? Committee...we are now voting on the adoption of the committee amendments to LB 643. All of those in favor vote aye. Opposed vote nay. Record, Mr. Clerk.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of committee amendments.

SPEAKER WITHEM: Committee amendments are adopted. Anything